Charged With Intoxication.

Count Stricken Out.

The cours martial convened for the trial

The detail for the court is as follows:

Merrill Miller, Captain J. C. Higginson,

room of the examining and retiring board.

Result of Recent Troubles.

mander Mullan was represented by coun-sel, Messrs. Jos. K. McCammon and J. H.

notably at the time when he was being

When the defendant was called upon to

not sufficiently certain as to the matter of time.

The Metion Prevails.

After some argument by counsel the court

was cleared, and when the doors were re-

opened the announcement was made that

the specification had been stricken out. It

alleged that between October 17, 1896, and

March 4 he had been seen under the in-fluence of liquor by Capt. McMurray, U.S.A.

Commander Mullan then pleaded not suilty to the charges and the remaining

The prosecution was begun, Ideut. Lauch-

helmer reading extracts from the records of the court of inquiry held at Pensacola last March, with the understanding that

the attorneys for the defense should have the opportunity to read, in turn, such

portions of those records as they thought would have bearing upon their side of

COL MILLS SELECTED.

Will Be Nominated Today to Be

Brigadier General.

Col. Anson Mills, 3d Cavalry, who has

been on duty at El Paso, Tex., for several

years in connection with the Mexical

boundary survey will be nominated today

understood that he will be retired shortly.

It is said that the nomination of a min-

will probably be appointed to the vacancy

ANTIMOBILAW ASSOCIATION.

to Secure Neded Legislation.

COLUMBUS Ohio, June 16.-The Na

tional Anti-Meb and Lynch Law Associa-

of the organization are declared to be to

discourage mob and lynch law within the

United States, to agitate public sentiment

with a view to securing such legislation as

will suppress such practice by providing adequate punishment for violators.

all over the United States.

pointed as follows:

Nathan Clark.

J. Tavenner:

It is proposed to form branch associations

GEN. MILES IN LONDON.

Pays an Official Visit to Ambassado

John Hay.

LONDON, June 16. - Gen. Nelson A

Miles, U. S. A., and his aid-de-camp, Cap

tain Maus, and Rear Admiral J. N. Miller

U. S. N., paid official visits today, in full

uniform, to the United States ambassador,

Colonel John Hay, who returned their visits at the residence on Carlton House

Terrace of the special envoy of the United States to the queen's jubilee, Whitelaw

Fourth-Class Postmasters.

Fourth-class postmasters have been ap

Maryland-Henderson, Caroline county

Virginia-Ollie, Alleghany county, W. M. ohnson; Philomont, Loudoun county, D.

Will Szenk at the Monument.

Assistant Secretary Davis of the Interio

Department has accepted an invitation to

speak at the Fourth of July services at the Washington monument.

The District Printing.

At a special meeting of Columbia Typo

resolutions were adopted protesting against

the letting of the contract for the District

printing, which is to be awarded in a few

Star in laying the subject before the pub-lic. Messrs... Oyster, Blake, Kehoe, Ken nedy and Robicson were appointed a com-mittee to confer with the District Commis-

Dogs Lost and Stolen

During the past few days the police hav

been asked to find several lost dogs and

recover several others that were stolen

A few days ago a dog belonging to Judge

Harlan was reported lost, and turned up a

the pound. Yesterday afternoon the detectives where tasked to recover a French poodle, the property of Secretary Alger, which was stolen from the Secretary's house, Not 1602 K street northwest.

Want 66 Be Bandmaster.

the Marine Band were received at the

Will of Francis Lusby.

The wiff of the late Francis W. Lusby, lated November 5, 1835, and naming Regi-

The will of the late Francis W. Lusby, dated Nowember 5, 1805, and naming Reginal Fendall and Blair Lee as his executors and trustees, was filed today. Certain personal effects are given to the testator's mother, Mary E. Lusby, and the residue of the estate is given to the trustee in trust for the two seas of the testates until the young of reaches majority, the children being placed in custody and guardianship of the Washington City Orphan Asylum.

Mary H. Reid, through Attorney C.

Three applications for the leadership

Navy Department this morning, incluit is understood, one from Leader Zimman of the Naval Academy Band.

98 735

graphical Union, held yesterday afternoon

relieved of the command of the

judge advocate.

Pensacola yard.

specifications.

The treaty, before it becomes effectual, must be ratified by the proper authorities of the United States and of Hawail. No mention is made of any gratuity to Liliuokalani or Kalulani.

Hon that this liability shall not exceed

Hawailan Legation Surprised. The news of the protest was a great surprise to the Hawaiian legation, and as soon as intelligence of it was obtained, Minister Hatch started out to learn the particulars. The essential point as to the protest, it is said at the Hawalian legation, is whether the protect is against the annexation of Hawaii or is merely a protest reserving to Japan all her rights under the existing treaty with Hawaii. It is believed that it is the latter. The Japanese treaty with Hawaii was made in 1871, and provides that matters of the country well. that matives or citizens of one country shall have the uninterrupted right to enter into, reside and trade in the other country, and also shall have all the rights and privileges erjoyed by the people of any other country under treaty stipulations with Japan. Japan, under the treaty, consequently has a pan, under right to have her immigrants enter the Hawalian Islands. Under international law, the annexation of Hawali to the United States would abrogate this treaty More. ed States would abrogate this treaty. Moreover, a new treaty between the United States and Japan, made some time ago, and to become effective in 1899, provides that the United States may exclude Japanese. If Hawaii is annexed, the effect would be to permit the United States to exclude the Japanese from Hawaii Islands clude the Japanese from Hawaii. It is taken for granted, therefore, that the protest is one reserving Japan's rights under its treaty of 1871 with Hawaii.

Fact of a Protest Denied.

Mr. Stevens, the chancellor of the Japanese legation, said to a Star reporter this morning that inasmuch as they had no official information that an annexation treaty existed, the minister could not discuss the subject. When the terms of the treaty were known to him he might have

as mething to say.

As to the statement that the minister had filed a protest with the State Depart-ment, Mr. Stevens said that the minister had taker no action which he construed to be in the nature of a protest. The min-ister, he said, called at the State Depart-ment yesterday, "not on the subject of the treaty exclusively, but on another matter of equal importance." He then made for-mal inquiries as to the terms of the treaty, should there be one, calling attention to certain rights of Japan by treaty and by law, which, he trusted, would be regarded in any treaty made. in any treaty made.

This, Mr. Stevens said, was not in the

nature of a protest, since they could not protest without knowing what they were protesting against. He said that of course the annexation of one country to anothe the acquired rights of foreign powers in the annexed country had to be taken into consideration, and Japan had full confide that in this matter the United States would protect Japan in her rights before annexa-tion was completed. Some of the rights of Japan, he said, were perpetual.

Hawaiian Commissioners Reticent.

The representatives of Hawaii who have been in this city for some time past laboring to secure a treaty of annexation with the United States declined to be interviewed today upon the matter of the success which has attended their efforts. To a Star reporter who called at the Hawaiian lega-tion, ex-Minister Thurston, one of the special commissioners, said that he had no statement to make. There was nothing to be said that would strengthen their position at this particular time, and while they might express their personal gratification at the signing of the treaty, good taste, he thought, forbade their saying anything more at this juncture.

Mr. Thurston was unwilling to express

any opinion as to the fate of the treaty in the Senate or the length of time that may elapse before the treaty is ratified.

DETAILS OF THE TREATY.

State Department Officials Reticent on It is impossible to obtain an official copy

of the treaty in advance of its release by the Senate. The officials of the State Department refuse absolutely to say a word about it today.

It is understood, however, that its salient features have been exactly set out in the exclusive publication in The Star last Sat-

The treaty itself is very short considering of, and is believed to be, included in six articles and a preamble. The latter is such as is usually a prefix to treaties of annexation in explanation of the objects sought to be attained, the key note in this case being the paramount interests, com-mercial and political, of the United States in the Hawaiian Islands and the expressed wish of the Hawaiians themselves for union with the great republic.

The plenipotentiaries named in this pre-

amble are Secretary Sherman for the United States, and for the Hawaiian government, three special commissioners, viz., Minister F. M. Hatch, Lorin A. Thurston

and W. A. Kinney.

The first article, which transfers sovereignty, is as follows:

The government of the Hawaiian Islands hereby cedes, from the date of the ex-change of the ratifications of this treaty, absolutely and without reserve to the United States forever all rights of sovereignty of whatseever kind in and over the Hawaiian Islands and their dependencies, renouncing in favor of the United States every sovereign right of which as an independent nation it is now possessed; and henceforth said Hawaiian Islands shall become and be an integral part of the terri-tory of the United States."

tory of the United States."

The second article transfers all public property to the United States, in the following language:

"The government of the Hawalian Islands also cedes and transfers to the United States the absolute fee and ownership of all public states." ship of all public, government or lands, public buildings or edifices, ports, harbors, fortifications, military or naval nariors, fortheations, hintary or navail equipments and all other public property of every kind and description belonging to the government of the Hawaiian Islands, together with every right and appurtenance

thereunto appertaining.
"The existing laws of the United States relative to public lands shall not apply to such lands in the Hawaiian Islands, but the Congress of the United States shall enact special laws for their management and disposition: Provided, That all revenue from or proceeds of the same, except as regards such part thereof as may be used or occupied for the civil, military or nava or occupied for the civil, military or navai purposes of the United States or may be assigned to the use of the local govern-ment, shall be used solely for the benefit of the inhabitants of the Hawaiian Islands or educational and other purposes."

The third article provides for the contin-

uance of the present form of government in Hawaii until Congress shall have provided a proper machinery for the operatio of the organic laws of the United States A limitation upon the power of the Ha-wallan government is the reservation to the President of the United States of the right that while present treaty arrangements shall continue until further notice, no ad-ditional ties of this kind are to be incurred

consular representatives of the powers are to exercise their function out obstruction until they are, after the completion of annexation, provided with exequaturs by the United States govern-

fourth article of the treaty prohfbits further Chinese immigration into Hawaii and prohibits the Chinese now in the island from entering other parts of the United States if they are subject to its

exclusion under the existing anti-Chines laws.
The fifth article provides for the assumption by the United States in return for the considerations above noted, of the Hawaiian national debt, with the under-standing that this liability shall not ex-ceed \$4,000,000, and that it shall not in-clude any obligation not existing before the ratification of the treaty.

the ratification of the treaty.

The last article is purely formal, relating entirely to the method of ratification and leaving the selection of place for exchange of final ratification for future settlement.

Former Queen Lilluokalani and the Princess Kalaulani were provided for in the Harrison treaty, the first to secure a pension of \$20,000 annually during life, and the latter the lump sum of \$150,000. Neither of these personages is mentioned in the new treaty.

All arrangements have been made to send the treaty to the Senate this afternoon. It will be accompanied by a message from the President.

CONTEST OVER RATIFICATION.

It is Understood That There Will Be a Stubborn One.

Much interest was manifested in the

Senate today over the announcement that the Hawaiian annexation treaty had been signed and would be received by the Senate today. Already the forces on the two sides of the question are preparing for the contest over ratification, which it is well understood will be stubbornly waged from the beginning. The friends of the treaty now say that there will be a decided effort to secure ratification during the present session of the Senate, and some of them go so far as to say that it will not even wait upon the tariff bill, but that ratification will be urged instead of action upor the existing reciprocity treaty. They realize, however, that the opposition will be so strong as to render this program doubtful of execution.

Senator Kyle, who is one of the most zealous of the senatorial advocates of an-nexation, said today that a canvass of the Senate indicated that there were 55 votes certain for annexation. The Constitution requires a two-thirds vote for the ratification of treaties, making 60 necessary to ratify. Senator Kyle says there are fully a dozen senators who are doubtful from whom to draw the five votes necessary to whom to draw the five votes necessary to insure ratification. In their calculations the friends of the treaty count upon the solid support of the republican senators on account of the fact that it will be an ad-ministration measure. They also expect to have all the populists, and are hopeful

to have all the populists, and are noperul of having all the silver republicans except. Pettigrew. They also count upon a fair sprinkling of democrats, but they expect to meet their principal opposition in the democratic party in the Senate.

There will be an effort to secure the prompt report of the treaty from the committee on foreign relations, to which it will be referred. There appears no doubt that a large majority of the committee will be found favorable to the agreement. Of that a large majority of the committee be found favorable to the agreement. Of the eleven members of this committee eight, viz.. Messrs. Davis, Frye, Cullom, Lodge, Clark, Foraker, Morgan and Turple, are said to be committed to the treaty's support, both in committee and in the Senate.

Senator White of California announced himself today as determined to oppose th ratification of the treaty, and expressed doubt as to a serious effort being made to secure ratification at the present session. He bases his objection largely on the ground of the small percentage of Americans in Hawaii, there being only about 3,000 out of a total population of 109,000. He thinks it very doubtful whether the treaty can secure the necessary two-

thirds vote to assure ratification.

It is the purpose of the supporters of the treaty to introduce a joint resolution either in the Senate or the House at an early day providing for annexation. They consider the treaty method the preferable way of proceeding, but say that as they are not confined to this method they will avail themselves of the alternative if necessary. The resolution would require orly a majority vote, and they express no doubt that this vote could be secured in both houses.

protest of Japan against the treaty of annexation was discussed among sena-tors today and the impression was that the result would be to make votes for the result would be to make votes for the treaty and make its ratification pos-sible at this session of Congress. Some senators who talk favorably of annexation say that they would prefer to defer action until next December, when more time could be given to the consideration of the treaty and the Senate be better informed s to the best policy to pursue. Senator Perkins of California, although

a republican, announces that he will op-pose the consideration of the treaty at the present session. He says the questions in-volved are of too general importance for

The evidence of hostility to immediate consideration is tecoming quite apparent from several directions. Representative Hitt believes that the treaty can be approved at this session of

TAKEN TO THE WHITE HOUSE. The President Looks Over the An-

nexation Treaty.

Judge Day, assistant secretary of state, went to the White House this morning with a copy of the Hawaiian treaty, signed by Secretary Sherman and the representatives of the Hawalian government. The President went over it. The letter of transmittal accompanying the treaty to the Senate was written yesterday afterroon by the President, a few corrections being made this morning. Of course, the contents of the treaty were known beforehand to the President, that having been fully discussed for weeks before the President authorized the drawing up of the

Senator Proctor, who was one White House callers, said to a Star reporter he thought the treaty would be referred to the foreign relations committee, and would be acted on before the adjournment of Congress. Senator Cullom was of the same opinion. The adverse opinion was represented by Senators Wilson and Perrepresented by Senators Wilson and Per-kins. Senator Wilson thought Congress would be too tired to handle the treaty by the time it finished with the tariff. Sena-tor Perkins said the freaty would not go

through at this session.

Among some of the men who are in no hurry in pushing the treaty it is said that the signing of the treaty is sufficient for all purposes at this time. It is a notifica-tion to Japan and to all other countries to keep their hands off Hawait; and not to at From two or three senators who wish to

keep in the background a new suggestion was made. This suggestion comes from senators who are strong in their desire to see the Cuban question first settled. They intimate that they will keep Hawaii in the background until Cuba is acted on by both branches of Congress and the chief executive. One senator who was at the White House this morning conveyed this idea in unmistakable terms to a Star reporter. He said that both countries ought

to be taken under the protecting arm of this country and Cuba had the first call, all human reasons dictating that Cuba should not be sidetracked.

The talk of the senator—a strong republi-can—indicates the possibility of the forma-tion of a combine which will force action on Cuba, to be followed by the adoption of the Hawdign treaty. the Hawaiian treaty.

THINKS IT INTERESTING.

Hawaiian Envoy S. M. Damon Talks

of Annexation Treaty. LONDON, June 16.-The Hawalian

voys to the queen's jubilee, Messrs. S. M. Damon and Jaukeau, have returned here from Paris. The representative of the Associated Press this afternoon showed them a cable message from Washington announcing that the Hawaiian annexation reaty was signed there this morning by Secretary Sherman for the United States, and Messrs. Hatch, Thurston and Kinney for Hawaii.

for Hawaii.

Damon read the message without exhibiting any surprise, and then remarked that it was very interesting.

Mr. Damon also read the draft of the treaty published this morning in the Duily Chronicle of this city, and said the Chronicle must have obtained it from the State. Chronicle of this city, and said the Chroni-cle must have obtained it from the State

Department at Washington.

Mr. Damon refused to discuss the treaty, as it has not yet been passed upon by the United States Senate.

JAPAN'S ATTITUDE IS FRIENDLY. Count Ito Talks of the Prospective

Annexation of Hawaii. PARIS, June 16.-Le Matin today publishes an interview with Count Ito of Ja pan, who is now in this city on his way to attend Queen Victoria's jubilee celebration, in which he says Japan never had any idea of entering into a conflict with the United States as an outcome of the troubles between Japan and Hawaii, inci-dents, he added, which have been greatly

Large Consignment of Opium. SAN FRANCISCO, Cal., June 16.-Th steamship City of Rio de Janeiro, which has arrived from the orient, brought an urusually large consignment of prepared optum from Macao. There are over 900 cases of the drug, valued at about \$2,000,-000, and upon which the duty amounts to \$221,400.

Sale of Kansas Central Postpon LEAVENWORTH, Kan., June 16.-The sale of the Kansas Central railroad and rolling stock, which was advertised to take place here at noon today, has been post-ported by Master in Chancery Dillon of Topeka, until June 25.

Steamship Arrivals. At Queenstown, Servia, from New Yorkfor Liverpool.

LATE NEWS BY WIRE

C. B. Collins Stabbed and Robbed of \$6,000 Near St. Louis.

CLAIMS MARTIN ENSLEY DID IT

Latter is Under Arrest, But Denies. the Accusation.

SAYS HE WAS ALSO HELD UP

ST. LOUIS, Mo., June 16 .- C. B. Collins of Nashville, Tenn., who said he had but recently disposed of his hotel in that city, and had the proceeds (\$6,000) on his person, was found badly wounded about midnight last night at Merrimac Highlands, fifteen miles from this city. He was bleeding from several wounds and was so badly injured that he could not be moved. He teld the watchman of the inn near where he was found that he had been stabbed and robbed of the \$6,000 by Martin Ensley, a traveling man, whom he had met in Nashville.

Shortly before 3 o'clock Ensley was ar rested while waiting for a car. He denied the robbery, and said a third person had held up both him and Collins. Ensley's vest was covered with blood, so the officers say, and they found several hundred dolars on his person. Ensley registered at the Southern Hotel as from Memphis.

Ensley's Father Was Prominent. Martin Ensley's father was Col. Enoch Ensley, a man of something more than national fame, and regarded until his death, three or four years ago, as the richest individual in the south. Col. Ensley was a leading spirit in the development of the mineral resources of the south. He was largely interested in the Tennessee Coal and Iron Company, established works at Bessemer, Ala., helped to make Sheffield, Ala., a great mining place, founded several towns, one of which bears his name, owned towns, one of which bears his name, owned several big cotton plantations, and was an intimate friend of Andrew Carnegie,

He had two children, Martin, who is almost thirty-two, and Lady, a year or two younger. For the latter he named the Lady Ensley mine, one of the largest in Alabama.

bama.

Martin occupied a high position in the social circles of Memphis, Nashville, Birmingham and other southern cities during his father's life. He was married to Betty Selden, daughter of M. L. Selden, a wealthy Memphis man. Miss Selden was regarded as the handsomest woman in the state.

Estate Was Incumbered. When Col. Ensley died it developed that his estate was incumbered so heavily that was doubtful if anything would be saved. About two years ago southern society was startled by the announcement that Martin Ensley's wife was suing him for divorce on the ground of non-support. Since the divorce Martin has divided his time be-tween Memphis, Nashville, Birmingham and other cities where his father had interests.

BUTLER FOUND GUILTY.

His Defense Was That His Victim Committed Suicide.

SYDNEY, N. S. W., June 16.-The trial of Frank Butler, charged with the murder of Capt Lee Weller, while the two men were on a gold prospecting trip, was concluded tcday, the jury rendering a verdict of Butler, after the murder of Capt. Weller,

escaped from Australia on the ship Swanhilda, but upon the arrival of that vessel at San Francisco he was arrested, afterward being extradited. The plea of the defense at the trial just

closed v.as that Capt. Weller committed su.cide It is a leged that the condemned man has in the course of his career, taken the lives in Australia of a number of other O. G. T. Presten. It was his practice to advertise for a prospecting partner, and, having found one with means, murder him while in the bush

Butler attempted to cut his throat with a piece of tin early this morning, but was seized before he did himself any serious injury.

Later he made the most violent resistance to his keepers while on the way to the court house. He fought with them like a wild beast, and was with difficulty subdued.

WANTS SLICE OF KANSAS CITY.

State of Kansas Claims Part of the Missouri City.

KANSAS CITY, Mo., June 16.-It is said that the present populist administration of Kansas is about to make a fight to obtain possession of a half-mile slice of the most valuable property now belonging to Kansas City, Mo.

The claim is based on an assertion that

Kansas territory has been encroached upon to this extent since Missouri was laid out as a state, in 1820.

RESULTS AT ASCOT HEATH.

Knight of the Thistle Wins Royal

LONDON, June 16.-The Lorillard-Beres ford stables' three-year-old brown gelding Sandia won the Fern Hill stakes of twenty sovereigns each, with 300 sovereigns added, at the second day's racing at Ascot Heath

Leopold de Rothschild's Galinthia was second, and F. Alexander's Mandoria, third. H. McCalmont's Knight of the Thistle won the race for the royal hunt cup, plate of the value of 500 sovereigns, with 1.500 sovereigns in specie added to a handicap weepstakes of 20 sovereigns eath. T.

Horton's Victor Wild was second and A. Cohen's Green Lawn, third.

Diakka, from the Lorillard-Beresford stables, was among the nineteen starters in this race, and finished fourth. The finished fourth. The course was seven furlongs and 166 yards. The betting before the start was 100 to 12 on Knight of the Thistle, 100 to 8 on Victor Wild and 100 to 7 on Green Lawn.

The second year of the thirty-ninth Ascot stakes was won by Lord Allington's

colt Butler.

The race is of 10 sovereigns each, with The race is of 10 sovereigns each, with 500 sovereigns added, for three-year-olds. Five horses ran. Leopold de Rothschild's Goletta won the coronation stakes, value 2,000 sovereigns. Prince Scitykoff's Perce Neige was second and Lord Ellesmere's Fortalice, third. Distance, one mile and fifteen vards.

DOUGLASS TRIAL BEGINS.

He Killed Editor James Williams at Ardmore, I. T.

ifteen yards.

ARDMORE, I. T., June 16.-The examining trial of Clarence B. Douglass, for killing James Williams, editor of the Chronicle, on June 7, has been taken up in court here. The trial will likely last throughout today and tomorrow. Great interest is taken in the case, and the court room is crowded, many of the spectators being ladies.

SPANIARDS ARE DISHEARTENED.

F. R. Winn Brings Reports From In

surgent Cuban Londers. NEW YORK, June 16 .- On board th Ward Line steamer Seguranca, which arrived today from Havana, was F. R. Winn of Sherman, Texas, who has been for some time with the insurgent forces at Pinar del Rio, in the west end of Cuba. Winn succeeded in crossing the trochs and reached Havana last Thursday, and man-

reached Havana last Thursday, and managed to clude the Spanish officials, finally getting on board the Seguaranca without mplestation from the authorities.

Mr. Winn is the bearer of important dispatches to the Cuban junta in this city. He is quite sanguine of the ultimate success of the insurgent cause, and says that the Spaniards are disheartened and weary of the fight. Their guerriliae have all been killed off by the Cuban sharpshooters, and the Spanish regulars do but very little fighting. Assessment a Pay Clerk.

R. M. Crary has been appointe clerk at League Island and F. H. R.

NAVAL . OFFICER ON TRIAL ARGUEFOR ACQUITTAL

Commander Mullan Before Court-Martial Mr. Shriver's Counsel Present Reasons in Support of Motion. Defendant Represented by Counsel

JUDGE DITTENHOEFER'S ADDRESS Decision in the Searles Case

of Commander Dennis W. Mullan of the navy on charges of drunkenness met at the navy yard at 1 o'clock this afternoon. THE JURY WAS EXCUSED Commodore Charles S. Norton, Captain J. C. Watson, Captain Silas Terry, Captain

Quoted by the Attorney.

Captain W. C. Wise and Captain P. F. Har-When the trial of Mr. John S. Shriver, rington, with Licutenant Lauchheimer as the Washington representative of the New York Mail and Express, was adjourned by The building in which courts-martial were Judge Bradley in Criminal Court No. 1 formerly held was burned in the recent yesterday afternoon ex-Judge A. J. Dittenfire which did so much damage at the navy noefer of New York, who is associated yard, and the present court is sitting in the with Mr. Jere M. Wilson of this city as counsel for Mr. Shriver, had not concluded his argument in support of the motion for The court-martial is the result of the rea verdict of not guilty. This morning, cent troubles at the Pensacola navy yard, after the court had excused the jury for of which Commander Mullan was in comthe rest of the day, informing it that mand. A court of inquiry was held, which the argument on the motion would conreported certain facts, as a result of which tinue until evening, Mr. Dittenhoefer reand at Commander Mullan's request a general court-martial was ordered. Com-

sumed his remarks. When the court adjourned yesterday afternoon Mr. Dittenhoefer had discussed sel, Messrs. Jos. K. McCammon and J. H. Hayden of this city.

After the preliminaries usual to the opening of a court-martial Lieutenant Lauchheimer read the charges and specifications, which were to the effect that Commodore Mullan was on several occasions in 1896, and during the present year, under the influence of liquor at the Escambia Hotel in Pensacola and elsewhere, and was also under the influence of liquor while on duty, notably at the time when he was being four of the six grounds on which is based the motion for an acquittal. He dwelt at length upon the point that the article written by Mr. Shriver was not mentioned in the resolution of the Senate appointing the investigating committee, the article con-taining none of the allegations or charges falling within any of the four branches of the investigation authorized by the Senate. Therefore, submitted Mr. Dittenhoefer, the committee had in no aspect of the case power to require a disclosure of Mr. Shriver's informant. plead, his counsel moved that one of the specifications under the first charge be stricken out, on the ground that it was

Question Not Pertinent.

Another point urged by Mr. Dittenhoefer was that the question put to Mr. Shriver was not pertinent to the inquiry. Mr. Dittenhoefer also argued that Mr. Shriver was not directed nor required to answer the question, and in support of that position he quoted from Judge Bradley's decision in the Searles case, where the judge held that Searles could not have been deemed in contempt of the Senate, for the purpose of contumacy proceedings, until after he had been brought before the bar of the Senate, and then persisted in his refusal to answer. But beyond all that, remarked Mr. Ditenhoefer, Mr. Shriver did not in fact refuse to answer the question put to him, and he called attention to the omission in the indictment of the defendant's statement that he merely deferred his answer never absolutely refusing to answer. That is, explained Mr. Dittenhoefer, Mr. Shriver only declined "for the present" to answer the question, and in that connection coun the question, and in that connection coun-sel referred to the omission of the com-mittee to require Mr. Shriver to then and there respond. Therefore, he submitted, the defendant had the right to assume that the time he required in which to answer was given him

The Scarles Decision.

Again Mr. Dittenhoefer referred to Judge Bradley's decision in the Searles case, where the judge said he was very much in loubt whether, even admitting the questo be brigadier general of the army. It is tion to be pertinent, the witness could be in contempt and guilty of a misdemeanor until he had been advised that persistence in his refusal would subject him to punish

ister to Spain also has been prepared, but all information as to the person selected is After discussing briefly the fifth ground Col. Anson Mills has had an eventful and honorable career as a soldier. In the event of his confirmation he will retire under the cryylvears service clause and Col. H. C. Merriam of the 1st Infantry urged in support of the motion, that Mr. Shriver was not called upon to answer the question he is charged in the indictment question he is charged in the indictment with having refused to answer, he was merely asked, explained Mr. Dittenhoefer, "What have you to say?" That was not, he submitted, a direction to answer, nor specific enough to base an accusation of contempt on. One-incorporated at Columbus, Ohio

The Sixth Ground.

The greater part of Mr. Dittenhoefer's argument today was devoted to the sixth which the motion for a verdici of not guilty is based, that Mr. Shriver was privileged not to disclose the name of his informant.

Mr. Dittenhoefer admitted at the outse that the application of the rule of privileged communications to public journals and newspapers is not yet so well defined as it is in other branches of confidential disclosures. disclosures, founded upon public policy, but he remarked that it is bound to come but he remarked that it is bound to come.

In all his public experience, extending over many years, never had he been betrayed by a newspaper man, he said. He called attention to Mr. Shriver's statement to the committee that to answer would legrade and disgrace him in his profession and make him an outcast. He also refer-red to Mr. Shriver's explanation that he had, in order to answer the question, un-successfully endeavored to obtain his in-formant's consent to reveal his name.

Freedom of the Press. Thomas Jefferson once said, remarked Mr. Dittenhoefer, that it is much better to have a free press without a free govern-

ment than to have a free government without a free press. "We could," interrupted Judge Bradley,

have no free government without a free In that Mr. Dittenhoefer acquiesced, and he proceeded to argue that a free press only can be maintained by protecting it. Mr. Shriver, he explained, was and is a well-known newspaper man of the highest character, and the information was given him by a member of the House of Repre-sentatives.

sentatives.

Mr. Dittenhoefer referred to the great Mr. Dittenhoefer referred to the great and valuable assistance given daily to the public authorities by newspapers and news-paper men, bringing to punishment crim-inals and exposing crime and wrongdoing. That agency will be rendered useless if they can be compelled to disclose the sources of their information, and even the administration of justice will be interfaced dministration of justice will be interfered

with. with.

The Maryland legislature, remarked Mr.
Dittenhoefer, a year or so ago recognized
this right of newspaper men by enacting
that they shall be so privileged. lays, to parties outside the District, and adorsing the arguments of The Evening

Not a Matter for the Courts.

Judge Bradley interrupted Mr. Dittenhoefer to remark that the extension of the privilege is a matter not for the courts, but for legislatures, and he added that no court has yet extended such a privilege to

Mr. Dittenhoefer admitted that no court has yet so moved, but he contended that it is a question for the courts, that they possess such power, and remarked that

has yet so moved, but he contended that it is a question for the courts, that they possess such power, and remarked that some judge must be the pioneer in the matter, and he suggested that in the present the court might and should take such a step, a step which will surely be taken before long.

Then Mr. Dittenhoefer went on to argue that even if Mr. Shriver had given the committee the name of his informant it would have done no good, and he submitted that the question asked Mr. Shriver was, after all, an improper one, when Judge Bradley remarked:

"I cannot imagine any judicial investigation where it could become necessary for a newspaper man to disclose the name of some one who had told him something."

To that remark of the court counsel for the detense gave most hearty approval, and they did not attempt to conceal the gratification with which they listened to Judge Bradley's remark.

Mr. Dittenhoefer concluded his argument shortly before noon, and was followed by Assistant District Attorney D. W. Peber

Mr. Dittenhoefer concluded his argument shortly before noon, and was followed by Assistant District Attorney D. W. Baker, who commenced a rather brief argument by explaining that he did not deem the contention of counsel that the defendant, as a newspaper man, was entitled to the benefit of the rule governing privileged communications, worthy of consideration by him or by the court. Mr. Baker Replies.

Trevitt, today sued Wm. Lowenthal, claiming \$10,000 damages for injuries alleged to have been sustained by her March 80, 1897, in falling through the collarway in the defendant's store, 957 7th street. Then Mr. Baker discussed in their order the other points urged by Mr. Dittenhoefer, contending that while the article written contending that while the article written by Mr. Shriver did appear two days after the Senate ordered the investigation, yet, it was embraced within that part of the resolution referring "to other matters." Mr. Saker also submitted that Mr. Shriver was informed by Senator Davis of the in-vestigating committee that he was required and bound to answer.

The question was a partiness one, in-

sisted Mr. Baker, and he contended that po diligrace or degradation would have resulted to Mr. Shriver had he answered the

walted to Mr. Shriver had he answered the question.

"It was the answering, not the answer, which Mr. Shriver contended would have diagraced or degraded him," remarked Judge Bradley.

"Precisely so," replied Mr. Baker, "and therefore he had no justification for his refusal to answer."

In concluding his argument Mr. Baker explained that District Attorney Davis, who has an engagement at the Maryland Agricultural College this afternoon, where the district attorney will tell the students what he knows about farming, will conclude the government's answer to the motion for a verdict of not guilty tomorrow morning, to which time Mr. Baker asked that the case be adjourned.

be adjourned. Judge Bradley's Query. Judge Bradley granted the request for an adjournment, but before doing so he informed Mr. Baker that he desired an opinion from the government's counsel as to whether or not Mr. Shriver, no summor having been served upon him requiring him to appear before the committee, can be held to have been guilty of contempt. The court referred to the fact that Mr. Shriver voluntarily appeared before the committee for the purpose of testifying, and remarked that in such an instance the

and remarked that in such an instance the witness cannot be guilty of violating the law when he refuses to answer.

"That is," said the judge, "does the statute refer to any person who testifies before such a committee, or to any person who has been duly summoned? Is it not absolutely essential, Mr. Baker, in order to make a witness amenable to first properly serve him with a subpoena?"

Mr. Baker replied that it is not, holding that when a person appears before a committee, voluntarily or through the requirements of subpoena, that person at once be-

ments of subpoena, that person at once be-comes a witness in the contemplation of the statute.

Counsel for the defense, of course, took the opposite position, and the trial went over, with the understanding that the question suggested by the court will be elaborately argued by District Attorney Davis and Mr. Wilson tomorrow.

JUDGE GARY NOT ASSIGNED.

Justice Magruder Protests Agains What He Considers a Slight,

SPRINGFIELD, Ill., June 16 .- An unusual incident occurred in the suprem court when appellate judges were assigned. Judge Gary, famous for having presided at he anarchist trials, was not assigned Justice Magruder protested in the follow ing strong language:

"The distinguished services of Mr. Jus tice Gary for nearly thirty-four years de served a more fitting recognition. Wher ever modern civilization has extended its light and its blessing his name stands as a synonym for law and order. With his life in his hand he has stayed and suppressed the onsets of lawlessness and disorder, and I enter my solemn protest against the slight thus put upon this just and fearless judge."

Chief Justice Phillips in his reply said:
"With the full statement the of these quali-

"With the fullest recognition of these quali-ties the majority of this court reserved to itself the right, and discharged the duty of selecting other judges for that place equal-ly learned, industrious and able, who can and will with equal earnestness and as high sense of justice discharge these du-

FRANCES HUGHS GIVEN FOUR YEARS A Clever Colored Thief Sentenced To-

Frances Hughes, the young colored wo man, who was convicted last week in Criminal Court No. 1 of picking the pocket of Mrs. Marion V. Power, in Lansburgh & Bro.'s store last April, and who was con victed in the same court vesterday of steal ing a sealskin coat from the Palais Royal last winter, was today sentenced by Chief Justice Bingham to four years in the New Jersey state prison at hard labor, two years and six months in the first case and eighteen months in the second. The court directed that the second sentence take effect upon the expiration of the first.

The woman is regarded by Detective

The woman is regarded by Detective Lacey, who worked up the cases against her, as an unusually clever pickpocket and sneak thief. She is the woman who, claiming that the coat was given to her as a Christmas gift by a member of the House of Representatives, refused to disclose his name, declining to reveal the name of her legislative admirer, even when threatened with punishment for contempt.

There being a rumor about the city hall that Philip McElhone, recently convicted and fined for taking certain historical pa pers from the Congressional Library last winter, would be reindicted, it was stated at the office of District Attorney Davis this afternoon that no step toward a re-indict-ment of the young man is contemplated.

Alleged Politician Charged With For-

This afternoon Detective Lacy arrested young colored man named Thomas H. Sembly and took him to police headquarters on suspicion of having passed a forged check for \$7 on Bernard Conroy, who keeps a saloon in South Washington. The check was drawn on the National Bank of Washington and contained what purported to be the signature of P. C. Garden, and made payable to George Ridgeway.

payable to George Ridgeway.

Sembly, is the man who was arrested several years ago and sentenced to the penitentiary for forging the name of Sentator Gorman to a check. He was released from the penitentiary about a year ago. He saw Attorney Jones, his counsel, this offerness and the letter will give bond He saw Attorney Jones, his counsel, this afternoon, and the latter will give bond for the appearance of his client.

Sembly says he has been in the newspaper business for some time, and it is stated that he has made democratic campaign speeches in Maryland.

They Were Married. Miss Katie Rupp and Mr. Jacob Wiener

ooth of this city, were married this morning by Judge Mills in the private office of the judge of the Police Court. The arthe judge of the Police Court. The arrangements were that the wedding was to be performed by Judge Mills at his office on Louisiana avenue at 10 o'clock, and the young couple colled there at that hour, but firding that the judge was presiding in the Pelice Court they went to the private office of the pelice judge. Judge Mills, who was presiding at the time, left his seat on the bench and went to the office, where the two were made one.

Show Manager Young Dead. CHICAGO, June 16 .- M. F. Young, gen eral manager of the Barnum-Bailey show, died last night at the Auditorium of ty-phoid fever. Grain and Cotton Markets

stock exchange, correspondents Mesers. Ladenburg, Thalmann & Co., New York. GRAIN. High. 60% 65% 25% 26% 118% 7,532 7,665 3,677 4,600 4,40

BALTIMORE, Md., June 16.—Fle

Realizing Sales Sent Prices Off on Wall Street Today.

GREAT ACTIVITY IN SUGAR STOCK

Big Volume of Business in This Stock at Better Prices.

GENERAL MARKET REPORTS

Special Dispatch to The Evening Star. NEW YORK, June 16.-Opening prices

this morning were generally steady around last night's closing parity. London sold a few stocks on balance during the opening hour, and subsequently lost interest in local securities. The volume of general business was no-

iceably reduced, traders taking advantage of this circumstance to sell moderately for both accounts. Fractional concessions were recorded in nearly all of the active issues, but no significant selling was eported.

The transactions in American Sugar were large and, in the main, tended toward improvement in price.

Today's prices in the stock averaged a trifle higher than those of yesterday. This circumstance is particularly noteworthy when it is considered that the realizing

buying by commission houses reflects the return of interests which in some instances have had no speculative commit-

money for new enterprises, and the gen-eral tendency seems to point toward an ective summer While this improvement in underlying conditions is noted on all sides, the pro-

Until the profits on previous transactions

fectly rational causes will not, therefore indicate an entire abandonment of the up ward movement.

The trading during the late afternoon was

mainly confined to realizing sales.

The Northern Pacific issues were weak during this period and fractional concessions prevailed throughout the list. In many instances the sales were credited to a few room traders, who operated solely on the advantage offered by a decreased demand. The market, outside of a few special-

Washington advices were passed over as

FINANCIAL AND COMMERCIAL.

The following are the opening, the highest and the lowest and the closing prices of the New York stock market today, as reported

by Corson & Macartney, members New York stock exchange. Correspondents, Messrs. Moore & Schley, No. 80 Broadway. Open. High, Low. Close 124 50% 614 174 94% 815 190% 10% 50 61% 17% 28% 109 87% 77% Canada Pacific

Canada Pacific
Chesapeake & Ohio
C., C. & St. Louis
Chicago, B. & Q
Chicago Gas.
C. M. & St. Paul
C. M. & St. Paul, pfd.
Chicago, R.I. & Pacific
Chicago, St. Paul, M.&O
Consolidated Gas
Del , Lack & W Del , Lack. & W..... Delaware & Hudson.... Den. & Rio Grande, pfd. 171 171 Lake Shore..... Louisville & Nashville. Metropolitan Traction.

Mahattan Elevated...

Michigan Central...

Miasouri Pacific...

National Lead Co...

National Lead Co...

National Lead Co...

New Jersey Central...

New York Central...

100 1436 41% 1436 29 21% New York Central..... Southern Ry., pfd......

Washington Stock Exchange. ales—regular cull—12 o'clock in.—Pneumatic Gu riage, 100 at 50 cents, 100 at 48 cents, 100 a cents, 500 at 47 cents. Mergenthaler Limotype tt 124½. Lanston Monotype, 10 at 11, 29 at 41 11 at 11.
District of Columbia Bonds.—20-year Fund. 5s, 103 bid. 30-year Fund. gold 6s, 112 bid. Water Stock currency 7s, 1901, 113% bid. Water Stock currency 7s, 1903, 114% bid. Fund. currency 3.05s, 110 bid.

currency 7s, 1903, 114% pid. Fund. currency 3.65s, 110 bid.

Miscellaneous Bonds,—Metropolitan Railroad 5s, 115 bid, 119 asked. Metropolitan Railroad cov. 6s, 116% bid, 118 asked. Metropolitan Railroad cov. 6s, 116% bid, 118 asked. Metropolitan Railroad Certificate of Indebtedness, 198% bid, 110 asked. Certificate of Indebtedness, 198% bid, 110 asked. Washington Gas Company, ser. A. 6s, 113 bid. Washington Gas Company, ser. A. 6s, 113 bid. Washington Gas Company, ser. A. 6s, 113 bid. Chesapeake and Potonac Telephone 5s, 162% bid. American Security and Trust 5s, F. and A., 160 bid. American Security and Trust 5s, F. and A., 160 bid. American Security and Trust 5s, A. and 0., 160 bid. Washington Market Company imp. da, 163 bid. Washington Market Company exten. 6s, 108 bid. Washington Market Company exten. 6s, 106 bid. National Bank Stocks.—Bank of Washington, 275 bid. Beach of Republic, 246 bid. Metropolitan, 275 bid. 290 asked. Central, 255 bid. Metropolitan, 275 bid, 130 asked. Central, 255 bid. Parmers and Mechanics', 175 bid. Second, 134 bid. Octumbia, 125 bid. 130 asked. Capital, 118 bid. West End. 110 asked. Lincoln, 102 bid.

Washington Lona and Trust, 113 bid. Washington Lona and Trust, 140 bid. Washington Safe Deposit and Trust, 113 bid. Mashington Lona and Trust, 140 bid. Washington Safe Deposit, 50 bid. Railroad Stocks.—Oapital Traction Company, *555, bid. 55 asked. Metropolitan, 113 bid. 114% asked.

Invited to Inspect the

28%

Furnished by W. B. Hibbs & Co., bankers and brokers, 1427 F st., members New York

sales ex-dividend were unusually large.
Legislative action continues to supply the incentive to activity in this property, confidence in a further substantial advance being reflected on all sides.

The railroad list recedes stubbornly in the presence of an increased supply of stocks and nothing more serious than a trader's reaction is anticipated in this department. partment.

ments in two years.

Banks report a little better inquiry for

gress toward a permanent high level is ex-pected to have frequent interruptions. Until the profits on previous transactions have assumed proportions equal to large enterprises, frequent periods of profit-taking must intervene.

The poverty of the last two years, coupled with the trying experiences of that period, has inspired caution to an almost prohibitive degree. It follows from this fact that the money made in securities will be subjected to new and continuous risks, but the original capital, which survived the panics, will be withheld.

The occasional setbacks from these per-

ties, was more professional during the clasing hour than at any time of recent

of little consequence, the passage of the able important development at that center. The net result of the day's trading was